

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 13694 of 2005

Between:

P.Yesaiah, S/o.P.Hanumanna,
R/o.H.No.1/202, T.Somalaguduru village,
Nandavaram Mandal, Kurnool District.

..... PETITIONER

AND

- 1 The Joint Collector, Kurnool,
- 2 Revenue Divisional officer, Adoni, Kurnool District.
- 3 Mandal Revenue officer, Nandavaram Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondent No.1 in not passing orders on the stay application filed along with the Appeal aggrieved by the orders of the 2nd respondent passed in Rc.No.M.530/05 dated 22-05-05 as illegal, arbitrary, null and void and consequently direct the Respondents to supply the Essential Commodities to the petitioner herein pending disposal of the Appeal before the 1st Respondent herein, and to pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.JANARDHAN RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

-

ORAL ORDER

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The petitioner's authorization was suspended as apparent from the order of the 2nd respondent dated 22-05-2005. This order records a conclusion that the petitioner had contravened the conditions of authorization and therefore his authorization is suspended for a period of three (3) months. In terms the order of the 2nd respondent dated 22-05-2005 it does not appear to be a case of an interlocutory order of the suspension. However, the petitioner preferred an appeal against the order, to the 1st respondent-Joint Collector, Kurnool on 13-06-2005. It is his complaint that the 1st respondent has not considered his appeal as yet.

In the aforesaid facts and circumstances, the writ petition is disposed of directing the 1st respondent to expeditiously and in any event within a period of two (2) weeks from the date of receipt of a copy of this Order, consider and dispose of the appeal of the petitioner on merits and convey and communicate along with the reasons the decision to the petitioner. No order as to costs.

GODA RAGHURAM,J

5TH JULY 2005

*TSNR

To

- 1 The Joint Collector, Kurnool,
- 2 The Revenue Divisional officer, Adoni, Kurnool District.
- 3 The Mandal Revenue officer, Nandavaram Mandal, Kurnool District.

4 Two CCS to G.P for Civil Supplies, High Court Buildings, Hyderabad(OUT)

5 Two C.D.Copies.